

HEARST

March 20, 2019

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VIA ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Nathaniel S. Boyer
Counsel

Re: ***Otto v. Hearst Communications, Inc.*, Case No. 1:17-cv-4712-GHW**
Proposed Stipulation and Order

Dear Judge Woods:

As you know, we represent Defendant Hearst Communications, Inc. in the above-referenced action, in which a jury trial on damages is scheduled to commence on July 15, 2019. We write jointly with counsel for Plaintiff Jonathan Otto to inform the Court that the parties have entered into a stipulation, pursuant to Fed. R. Civ. P. 39(a)(1), in which they waive their rights to a jury trial on the issue of damages in this case. As stated in the stipulation, which has been electronically filed with the Clerk of the Court, the parties respectfully request that the Court vacate the jury trial scheduled for July 15, 2019 and schedule a nonjury trial to commence on that date instead.

Respectfully submitted,

/s/ Nathaniel S. Boyer
Nathaniel S. Boyer

/s/ James H. Freeman
James H. Freeman

cc: Counsel of Record (via ECF)

* Not admitted or
resident in New York